

FACTSHEET

TITLE: SPECIAL PERMIT NO. 2005, BETTY'S HAVEN COMMUNITY UNIT PLAN, requested by Brian D. Carstens and Associates on behalf of Hartland Homes, Inc., for 23 dwelling units, with associated waiver requests, on property generally located at West South Street and South Coddington Avenue.

STAFF RECOMMENDATION: Conditional approval

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 04/30/03 and 05/14/03
Administrative Action: 05/14/03

RECOMMENDATION: Conditional approval, with amendments (7-0: Bills-Strand, Carlson, Steward, Duvall, Larson, Taylor and Schwinn voting 'yes'; Krieser absent).

FINDINGS OF FACT:

1. This proposal includes 23 dwelling units with the following waiver requests: a) average lot width; b) lot area; c) lot depth-to-width ratio; d) the requirement to submit a preliminary plat; and e) the requirement that final plats accepting the dedication of public streets and private roadways be reviewed and acted upon by the Planning Commission. The staff recommendation of conditional approval, including approval of all waiver requests, is based upon the "Analysis" as set forth on p.4-5, concluding that the proposal is in conformance with the Comprehensive Plan upon compliance with the conditions of approval.
2. This proposal was deferred for two weeks on April 30, 2003, at the request of the applicant and the West "A" Neighborhood Association (See p.21-22). The applicant had met with the neighborhood on April 28, 2003, and another meeting was scheduled for May 5, 2003, in an effort to work through some of the issues with the neighbors.
3. The applicant's testimony and the testimony by the owner of the property in question at the continued public hearing is found on p.10-11. The applicant agreed with all conditions of approval; however, in response to the opposition, the applicant offered to add a 6' high solid screen fence between the required landscape screen and the townhome lots adjoining South Street, and to construct the sidewalk along South Street contemporaneously with occupancy.
4. Testimony in opposition on behalf of the West "A" Neighborhood Association is found on p.11, and the record consists of 17 letters in opposition (p.23-58). The issues addressed by the opposition include density; sidewalks; property values; access; safety; and distrust of the developer from past experiences.
5. Additional information submitted by the staff in response to the concerns expressed by the opposition with regard to safety is found on p.17-20. One accident has been reported at the intersection of South Coddington and West South Streets, and two accidents have been reported on South Coddington in front of Roper Elementary School. All accidents involved cars only, and no injuries were reported. There have been no accidents reported for nearly one year. Coddington is scheduled in the proposed CIP for construction to a 4-lane standard in 4 or 5 years.
6. On May 14, 2003, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend conditional approval, with the amendments offered by the applicant regarding the solid screen fence and the sidewalk along South Street (See Condition #1.2.3 and Condition #5.1). A representative of the neighborhood association indicated in her testimony that these two items were the chief concerns of the neighbors. (Also See Minutes, p.12).
7. The record also consists of one letter in opposition received after the Planning Commission action (p.59).
8. The Site Specific conditions of approval required to be completed prior to scheduling this application on the Council agenda have been satisfied.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: June 23, 2003

REVIEWED BY: _____

DATE: June 23, 2003

REFERENCE NUMBER: FS\CC\2003\SP.2005

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Special Permit #2005
Betty's Haven Community Unit Plan

DATE: April 16, 2003

SCHEDULED PLANNING COMMISSION MEETING:

DATE: April 30, 2003

****As Revised by Planning Commission: 5/14/03****

PROPOSAL: To obtain a special permit for 23 dwelling units at W. South and S. Coddington Avenue with waiver to the subdivision ordinance requiring a preliminary plat, to allow the Planning Director to approve administrative final plats and the approval of administrative final plats accepting the dedication of streets and private roadways.

WAIVER REQUESTS:

Average lot width:	Approval
Lot area:	Approval
Lot depth to width ratio:	Approval
Requirement to submit a preliminary plat:	Approval
Requirement that final plats accepting the dedication of public streets and private roadways go to the Planning Commission:	Approval

LAND AREA: 5.01 acres, more or less.

CONCLUSION: With conditions, the proposal is in conformance with the Comprehensive Plan.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 131 I.T., in the SW 1/4 of Section 33, T10N, R6E.

LOCATION: Generally located at W. South Street and S. Coddington Avenue.

EXISTING ZONING: R-3, Residential.

EXISTING LAND USE: Single family house.

SURROUNDING LAND USE AND ZONING:

North:	Single Family Residential	R-2, Residential
South:	School	R-3, Residential
East:	Single and multi-family Residential	R-3
West:	Undeveloped	R-3

HISTORY:

In **1979** the zoning was updated from AA, Rural and Public Use and A-2, Single Family to R-3, Residential during the zoning update.

City Council denied a request to change the zone of this parcel from A-A and A-2 to G Local Business in **1979**.

On **January 21, 1974**, City Council approved Special Permit #674, Coddington Heights Community unit Plan for 94 dwelling units was approved east of S. Coddington Avenue.

COMPREHENSIVE PLAN SPECIFICATIONS: This area is shown as Urban Residential in the Comprehensive Plan (F-25).

"Maximize the community's present infrastructure investment by planning for residential...in areas with available capacity" by "encouraging...more dwelling units per acre in new neighborhoods" (F 17).

"Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population" (F-18).

"Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood" (F 18).

"Sidewalks should be provided on both sides of all streets, or in alternative locations as allowed through design standards or the Community Unit Plan process" (F 66).

"Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling and provide multiple connections within and between neighborhoods" (F 66).

"Similar housing types face each other...change to different use at rear of lot" (F 67) (F 69).

"Encourage a mix of housing types, including single family, duplex, attached single family units, apartments, and elderly housing all within one area. Encourage multi-family near commercial areas" (F 69).

"Require new development to be compatible with character of neighborhood and adjacent uses" (F 69).

UTILITIES: A 12" water main is located in W. South Street. This development proposes to extend a 6" water main to serve this development off of the main in South Street. A 24" water main exists in S. Coddington Avenue.

An existing 8" sanitary sewer line abuts this area in W. South Street. The site plan shows connection to the existing sanitary sewer by proposing an 8" sanitary sewer within the permit area. An existing 4" pvc sewer service is shown for the single family house. The Public Works & Utilities Department indicated that per design standards, all platted lots must have abutting sanitary sewer. The sanitary sewer shown in West Joseph Court must be extended 10' to Lot 1 to meet design standards.

TRAFFIC ANALYSIS: W. South Street is classified as a collector street in this location. S. Coddington Avenue future classification is Urban Principal Arterial.

ANALYSIS:

1. This is a request to obtain a special permit for 23 dwelling units (20 townhouse units, 2 single family attached units and 1 single family unit) at W. South and S. Coddington Avenue.
2. The proposed development will maximize the allowed density at this location, meaning the single family residence indicated as Lot 1 will have to remain as one dwelling unit. If in the future it is requested to further subdivide this lot and create additional dwelling units, a change of zone will be required. If the developer requests a change of zoning to increase the density in order to develop Lot 1, the entire area of the community unit plan would have to be included in the zoning change. The developer indicated no intent to further subdivide Lot 1.
3. The development of the site indicates a disproportionate amount of open space associated with Lot 1, that could be used as open space for passive recreation.
4. The Public Works & Utilities Department indicated that sanitary sewer in W. Joseph Court must be extended to Lot 1. Public Works & Utilities Department also indicated that when construction plans are submitted for the detention pond and outlet structure, constructability and maintenance issues for the proposed outlet structure must be considered.
5. The Lincoln Airport Authority indicates that this area is within the Airport Environs Noise District and subject to the provisions contained in Chapter 27.58 of the Lincoln Municipal Code. An Avigation and Noise Easement and Covenant Agreement is required. The area is also within the Outer Approach Zone as defined in Chapter 27.59. Any structures within this area over 75' in height will require a height permit review. No structures within this area are proposed to exceed 75'.
6. The Public Works & Utilities Department Watershed Management section has several comments, see attached.
7. The Parks and Recreation Department has several comments, see attached.
8. The Building and Safety Fire Prevention/Life Safety Code Department indicates that a fire hydrant is required at the intersection of SW 21st Street and W. Joseph Court, and that the hydrants at both ends of W. Joseph court may then be removed.
9. Emergency Communications, Lincoln-Lancaster County Health Department, USPS, Police, and Fire Departments find the submittal acceptable.
10. The request is in conformance with the Comprehensive Plan's goals to increase efficiency of existing infrastructure, encourage a mix of housing types and changing the use at the rear of the lots.
11. Landscaping and screening is required along the entire perimeter of the site screening 50% of the vertical plane from 6'-15'. The landscape plan submitted does not meet this standard.

12. The design standards for community unit plans require a recreation component. A specific standard of what type of recreation is not identified. The developers shows a gazebo for their recreation, in addition to open areas for passive recreation. Whether or not the development serves young families or older adults, a tot lot would benefit both age groups either directly through their own children or indirectly through their grandchildren. The gazebo should remain to provide both seating area for adult supervision over the tot lot, but also a congregation area for members of the neighborhood. A school is nearby, however, a chain link fence prohibits direct access to the site.
13. The site plan shows a subdivision identification sign on the east side of SW 21st Street in the required front yard. §27.69.220 indicates that: "When part of a landscape screen approved by the Planning Director, the following ground signs, not exceeding twenty square feet in area or six feet in height and identifying a multiple-dwelling complex or subdivision area, may be located in the required front yard or building line district". The site plan must be revised to reduce the sign to meet these standards or move the sign out of the required front yard.
14. The Law Department determined that pursuant to §26.31.015 "Coordinating Subdivision and Community Unit Plan, Planned Unit Development, Special Permit and Use Permit" of the Land Subdivision Ordinance the applicant can request to waive the requirement of a preliminary plat, and to allow the Planning Director to approve administrative final plats and the approval of administrative final plats accepting the dedication of streets and/or private roadways. This has been advertised as a waiver and requires recommendation of the Planning Commission to the City Council
15. In an effort to streamline the development review process and coordinate the review of the special permit and preliminary plat, the Planning Department does not object to this waiver request.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

1.1 Revise the site plan to:

- 1.1.1 Indicate the waiver of the preliminary plat and allow the Planning Director to approve administrative final plats and the approval of administrative final plats accepting the dedication of streets in the Requested Waivers table on the site plan.
- 1.1.2 Provide a street name west of SW 21st Street.
- 1.1.3 Provide the total number of lots, blocks and outlots.
- 1.1.4 Four blocks and lots numbered appropriately.

- 1.1.5 A recreation area with playground equipment near the gazebo for recreation.
- 1.1.6 Indicate the purpose of Outlot A, including storm water detention, open space, recreation.
- 1.1.7 Provide the utility easements as requested by the Lincoln Electric System.
- 1.1.8 Make changes to the satisfaction of the Building and Safety Fire Prevention/Life Safety Code Department.
- 1.1.9 Make changes to the satisfaction of the Public Works & Utilities Department.
- 1.1.10 Make changes to the satisfaction of the Public Works & Utilities Watershed Management Department.
- 1.1.11 Show a City Council approval certificate.
- 1.1.12 Correct typographical errors in the legal description.
- 1.1.13 Add a note to the site plan indicating that “this area is within the airport environs district, construction must be meet standards as set forth in §27.58 and §27.59 and a Avigation and Noise Easement Agreement must be signed”.
- 1.1.14 A signed surveyor’s certificate.
- 1.1.15 Show subdivision sign to the satisfaction of the Planning Department.

1.2 Revise the landscape plan to:

1.2.1 make changes to the satisfaction of the Parks and Recreation Department.

1.2.2 Provide screening per landscaping and screening design standards.

1.2.3 Require a 6' high solid screen fence between the required landscape screen and the townhome lots adjoining South Street. (**Per Planning Commission: 5/14/03**)

1.3 Submit signed copies of the Avigation and Noise Easement Agreement to the satisfaction of the Lincoln Airport Authority.

2 This approval permits 23 dwelling units and the following modifications and waivers:

2.1 Average lot width,

- 2.2 Lot area,
- 2.3 Lot depth to width ratio,
- 2.4 Requirement to submit Preliminary Plat

2.4.1 The waiver of the preliminary plat process shall only be effective for a period of ten (10) years from the date of the city's approval, and shall be of no force or effect thereafter. If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations. (**As revised by staff and recommended by Planning Commission: 5/14/03**)

- 2.5. Grant authority to the Planning Director to approve an administrative final plat without a preliminary plat,
- 2.6 Grant authority to the Planning Director to approve an administrative final plat accepting the dedication of private roadways.

3. Administrative Final Plats will be approved by the Planning Director after:

3.1 The subdivider has completed or posted a surety to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.

3.2 Administrative Final Plats shall be approved by the Planning Director after the subdivider has signed an agreement that binds the subdivider, its successors and assigns:

3.2.1 To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

3.2.2 To complete the private improvement shown on the Community Unit Plan.

3.2.3 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would

be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

- 3.2.4 To continuously and regularly maintain the street trees along S. Coddington Avenue and W. South Street, the private roadways and landscape screens.
- 3.2.5 To submit to the lot buyers and home builders a copy of the soil analysis.
- 3.2.6 To pay all improvement costs.
- 3.2.7 To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- 3.2.8 To protect the trees that are indicated to remain during construction and development.
- 3.2.9 To properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.
- 3.2.10 To relinquish the right of direct vehicular access to W. South Street and S. Coddington Avenue except as shown on the site plan.
- 3.2.11 To inform all purchasers and users that the land is located within the turning zone of the Airport Environs District and that all construction shall be in conformance with the airport zoning requirements and the avigation and noise easement and covenant agreement.

GENERAL:

4. Before receiving building permits:

- 4.1 The permittee shall have submitted a revised and reproducible final plan including 6 copies.
- 4.2 The construction plans shall comply with the approved plans.
- 4.3 Administrative Final Plats shall be approved by the Planning Director

STANDARD CONDITIONS:

5. The following conditions are applicable to all requests:
- 5.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans and the sidewalk along South Street has been constructed. (**Per Planning Commission: 5/14/03**)
 - 5.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 5.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 5.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 5.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Becky Horner
Planner

Applicant: Hartland Homes, Inc.
PO Box 22787
Lincoln, NE 68542
(402)477-6668

Owner: Gene and Patricia Schmidt
2105 South Coddington Avenue
(402)476-0211

Contact: Brian D. Carstens and Associates
601 Old Cheney Road, Suite C
(402)434-2424

SPECIAL PERMIT NO. 2005 BETTY'S HAVEN COMMUNITY UNIT PLAN

PUBLIC HEARING BEFORE PLANNING COMMISSION:

April 30, 2003

Members present: Krieser, Taylor, Larson, Carlson, Bills-Strand, Duvall, Newman, Steward and Schwinn.

Staff recommendation: Conditional Approval.

Ex Parte Communications Disclosed: None

Becky Horner of Planning staff submitted additional information for the record, including a request for two-week deferral by the applicant and the President of the West A Neighborhood Association, eight letters in opposition and additional information gathered from the Lincoln Police Department with respect to accidents at the intersection of Coddington and South.

Bills-Strand moved to defer two weeks, with continued public hearing and administrative action scheduled for May 14, 2003, seconded by Larson and carried 9-0: Krieser, Taylor, Larson, Carlson, Bills-Strand, Duvall, Newman, Steward and Schwinn voting 'yes'.

There was no public testimony in support or in opposition.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 14, 2003

Members present: Bills-Strand, Steward, Carlson, Duvall, Larson, Taylor and Schwinn; Krieser absent; Newman resigned.

Staff recommendation: Conditional approval.

Ex parte communications: Duvall reported that someone stopped him on the street to discuss this application and he encouraged them to join the public process.

Becky Horner of Planning staff submitted two additional items of information, including a letter in opposition and an additional condition of approval proposed by the staff to make the community unit plan conditions consistent with what would normally be required on a preliminary plat.

Proponents

1. Peter Katt appeared on behalf of **Hartland Homes**, the developer, and Mr. and Mrs. Schmidt, the owners of the property. This is a fairly straight forward CUP and special permit to approve a townhome development on a 5-acre tract on South Street and Coddington. Katt expressed appreciation for the previous deferral of this application because it has allowed the developer to have two meetings with the neighborhood association, where the developer provided additional details and answered a lot of questions. The owner and applicant agree with the staff requirements and conditions of approval.

2. Brian Carstens showed a larger-scale rendering of the 5.01 acres. The front of the property off of Coddington is the Schmidt home which will remain on the large lot; in the rear of the lot there is a barn that will be removed; there is a number of existing street trees; and the rendering showed the buildings proposed to be built.

Opposition

1. Deb Vocasek 1903 W. Mulberry Ct., testified as a resident and on behalf of the West “A” Neighborhood Association. She also expressed appreciation for the deferral to give the neighbors time to meet with the applicant. She lives in this neighborhood; her parents live in this neighborhood; her son has purchased a home across the street from this development; and her sister lives about six blocks away. They believe this to be a “family area”. Unfortunately, however, they have had their fair share of problems with this developer in the past and they are not very trusting, thus there is some skepticism about this proposal. The neighbors have encountered problems with this developer from the standpoint of not putting in sidewalks on a development which is right across the street from the school. The neighbors had to picket Hartman to get attention and to force him to put the sidewalks in. The neighbors are worried about this kind of thing. The neighbors are concerned about the value of their homes; the volume of people in this development with one outlet; parking; water pressure, which is already a major problem in this area; safety of children; sidewalks; and there being only one entrance to this development. All of the children come down the sidewalk in front of the Schmidt’s house; the sidewalks must be installed; we can’t wait for sidewalks to go in after the work is done. The neighbors are also concerned about multi-renters. They would have rather seen six or eight houses developed. But, the biggest concern is to keep up with the sidewalks. There is no busing out there and there are many developments out in this area without sidewalks. The sidewalks have to be installed right away for the safety of the children. Vocasek also requested a stockade fence (all of one kind) on the north side and possibly on the south side. The neighbors are concerned about the overflow parking on the streets, the multiple renters and the water detention pond. If the developer will work with the neighbors on these issues, the neighbors are willing to work with him.

It was clarified that there are sidewalks on the north side of South Street currently, but not on the south side.

Support

1. Gene Schmidt, owner of the property in question, also testified. He has also been on the Board of the West “A” Neighborhood Association in the past, and he, too, is concerned about the children. His concern is that the neighborhood is saying that he sold the property to the wrong developer. The neighbors picket the Hartland Home open houses every year for no reason. The traffic on that corner is not going to make it any harder for the kids because they have two sidewalks going to the school. That intersection is just busy for about 15-20 minutes.

Response by the Applicant

Katt stated that while the first meeting with the neighborhood association was a little tense, the second one was very productive. He believes there is some opportunity to work favorably with the neighborhood association. There is a major development immediately to the west where South Street is hoped to be connected to S.W. 27th, which will provide another access route out and

around this neighborhood. At this point, they are still trying to get the state to join in creating a paving district to improve that access.

Katt offered to add to the conditions of approval:

To require a 6' high solid screen fence between the required landscape screen and the townhome lots adjoining South Street.

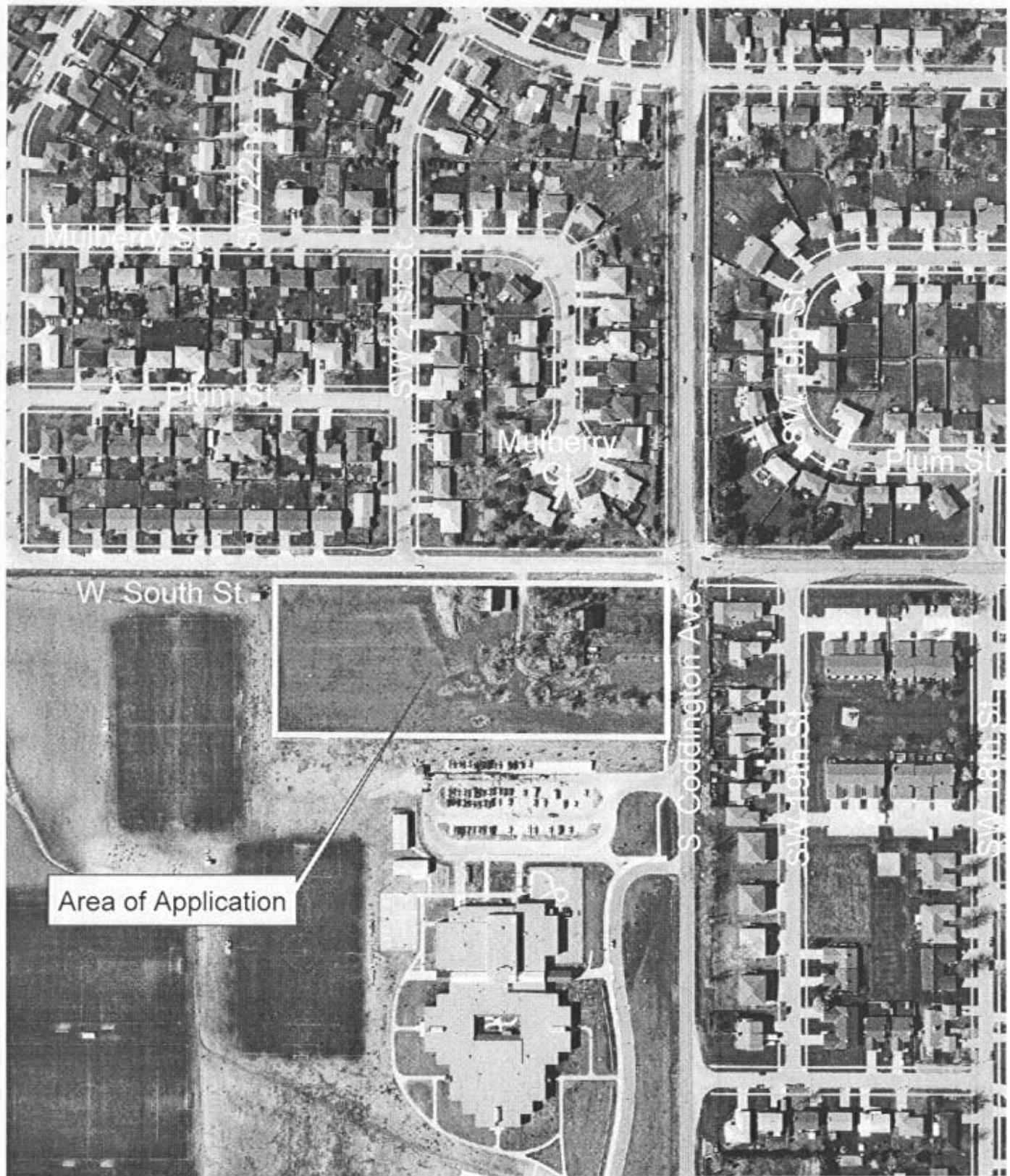
To construct sidewalk along South Street contemporaneous with getting the project ready for occupancy.

Becky Horner stated that the staff would agree with the proposed additional conditions.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

May 14, 2003

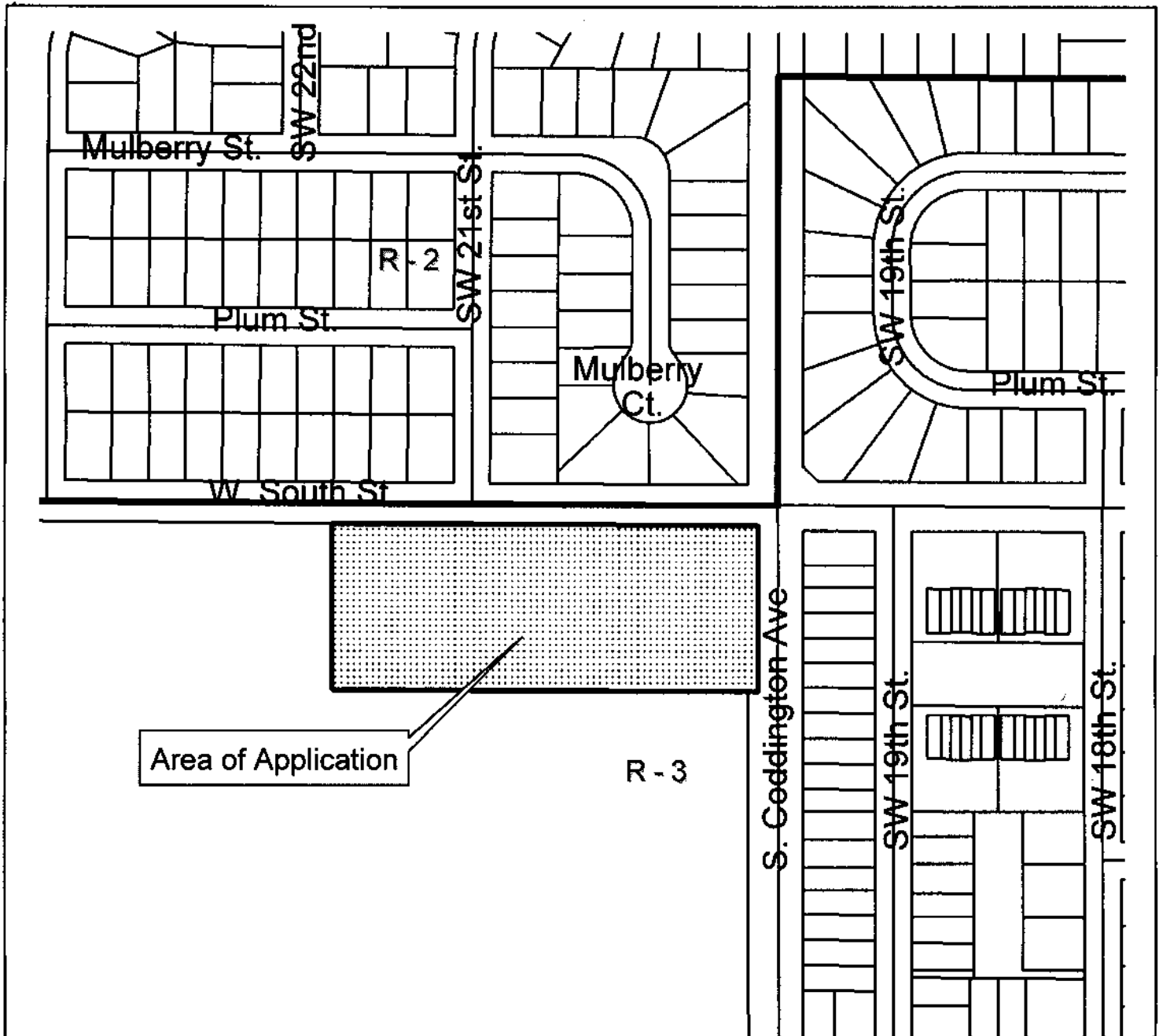
Steward moved approval, with conditions, with the amendments proposed by the applicant, seconded by Larson and carried 7-0: Bills-Strand, Steward, Carlson, Duvall, Larson, Taylor and Schwinn voting 'yes'; Krieser absent; Newman resigned.



Special Permit #2005
S. Coddington & W. South St.



Lincoln City - Lancaster County Planning Dept.
 1999 aerial

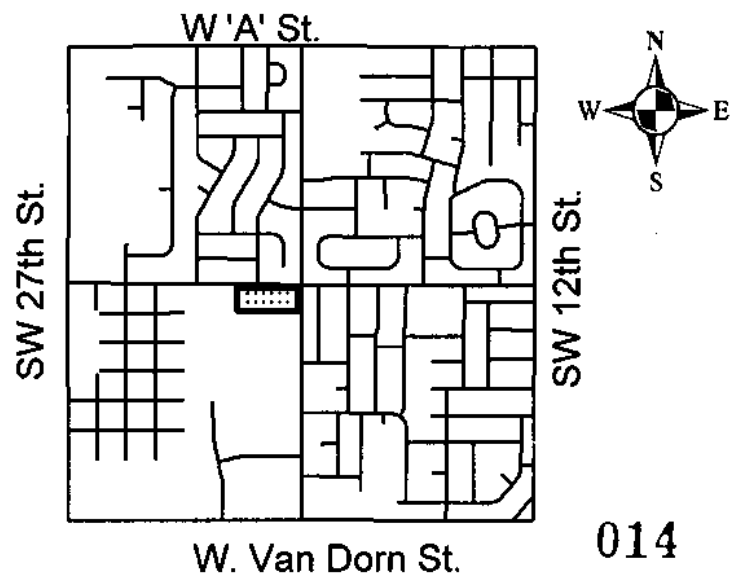
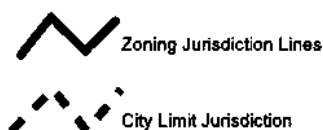


Special Permit #2005 S. Coddington & W. South St.

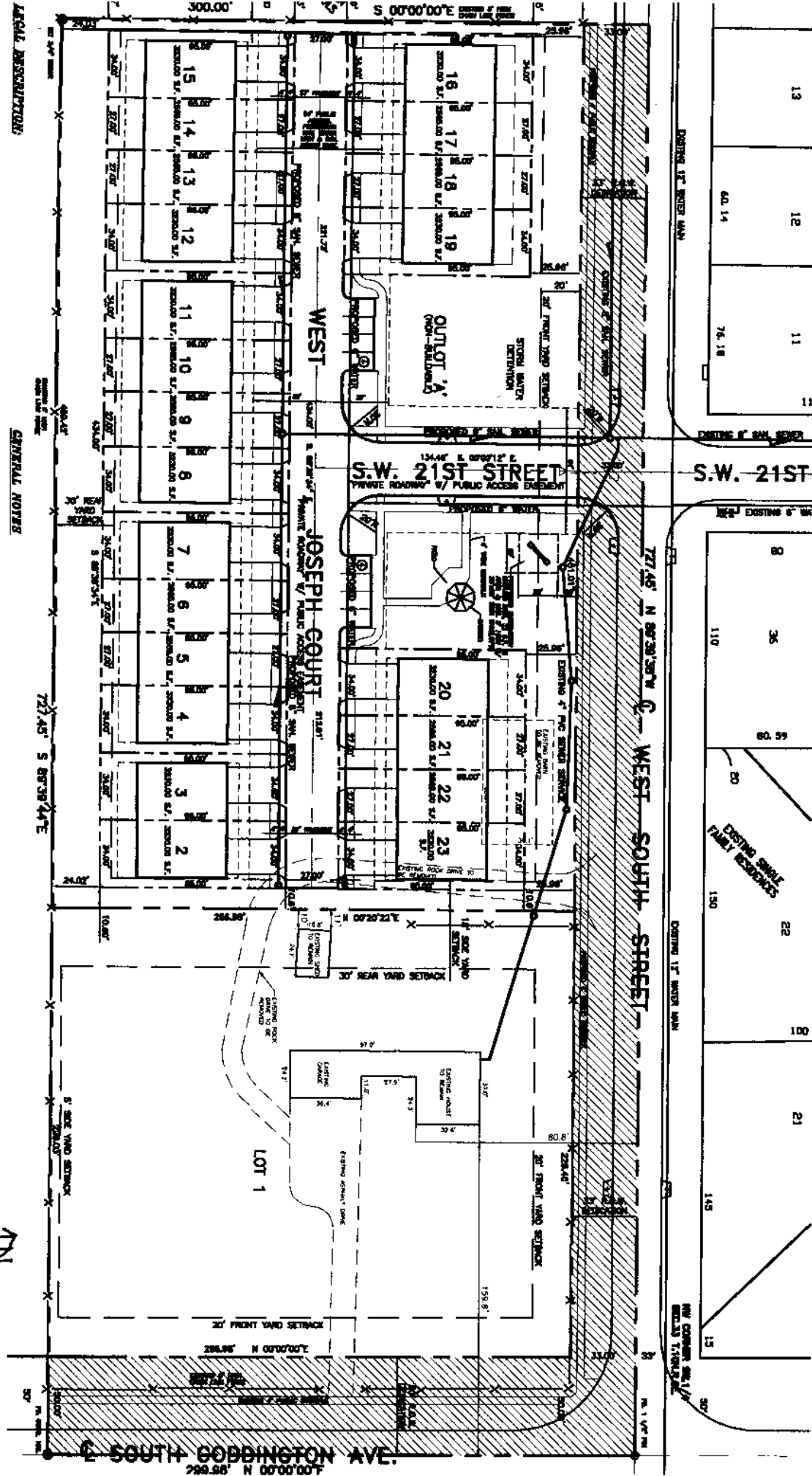
Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec.33 T10N R6E



↑N



PLAN OF
PLATTING
SUBDIVISION
MAR 12 2003

cc: Brian Carstens

Memorandum

RECEIVED

MAY 12 2003

LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

To: Planning Commission
From: ^{LB}Dennis Bartels, Public Works and Utilities
Subject: Betty's Haven
Date: May 9, 2003
cc: Randy Hoskins
Nicole Fleck-Tooze
Ray Hill

Public Works has reviewed the traffic concerns raised by area residents concerning the proposed residential development Betty's Haven located at the southwest corner of South Coddington and West South Street and has the following comments:

- Coddington Avenue is classified as an arterial street and is identified in the 2003/2004-2008/2009 C.I.P. to be constructed as a 4 lane with center turn lane roadway with curb and gutter. The funding for design and construction is identified in the 2006/2007 fiscal year. Provided that funding is available and approved with the adoption of the 2006/2007 C.I.P, construction could be anticipated in 2007 or 2008.
- Based on traffic counts between September and October of 2002, the intersection of Coddington and West South Street operates at a level of service (LOS) 'A' for both AM and PM peak hours of traffic. The intersection of Coddington and West A Street operates at a LOS 'C' for the AM peak hour of traffic and LOS 'B' for the PM peak hour of traffic. LOS is based on a scale from 'A-F', LOS 'F' being highly congested traffic and LOS 'C' being satisfactory traffic conditions.
- The intersection of Coddington and U.S. Hwy 77 currently operates at LOS 'D'. This condition is expected as the intersection involves a major expressway. This condition will be improved with the NDOR construction of the interchange at the intersection. The completion of the West A Street overpass will also improve the traffic conditions.
- The Betty's Haven development shows 23 residential units, one of which is an existing dwelling. Twenty-two additional units are anticipated to generate 176-220 additional trips/day and 18-22 more trips in the peak hour. This increase will not affect the LOS of any of the intersections.

MEMORANDUM

To: Planning Commission

From: Becky Horner, Planning Dept. *BH*

Date: April 30, 2003

RE: Additional Information for Betty's Haven Special Permit #2005

XC: Brian Carstens and Associates
File

Attached are the Lincoln Police Department's accident reports for the intersection of S. Coddington and W. South Streets.

Sergeant Michael Woolman from the Lincoln Police Department indicated that there has been reported one accident at the intersection of S. Coddington and W. South Streets and two accidents on S. Coddington in front of Roper Elementary School. All accidents involved cars only and no injuries were reported. It has been nearly a year since the last accident.

PC79 LPD DISPATCH DATA

ENTER CASE #: A2-053425

LOCATION: ROPER ELEM SCH @2323 S CODDINGTON AV ;LOT

INC#: 03111 TYPE: ACC. PR.DAM.

RD#: 159

DATE: 05-17-2002 OFFICER ASSIGNED: 458 ENGEL

TE#: 4

BT.: A

TIME RECEIVED: 0754

LOCATION CODE: 1 STREET

TIME DISP'D.: 0755

CALLED IN BY.: SHANON HIBBARD /INV

TIME ARRIV'D.: 0806

TAKEN BY.....: 1296 STEELE

TIME CLEARED.: 0845

DISPATCH..BY.: 192 ELROD

DISPOSITION..: ACCIDENT REPORT IN

(No ACIs)

CAD#: 02121909 ACC VEH MOVED OFF ST

CAD....: LTD VS MINIVAN OCC ON THE STREET COMPO WILL MOVE IT INTO THE LOT

REMARKS:

PC79 LPD DISPATCH DATA

ENTER CASE #: A2-015656

LOCATION: ROPER ELEM SCH @2323 S CODDINGTON AV

INC#: 03000 TYPE: ACC. NOT REPORTABLE

DATE: 02-12-2002 OFFICER ASSIGNED: 937 TANKESLEY

RD#: 159

TE#: 4

BT.: A

TIME RECEIVED: 0801

LOCATION CODE: 1 STREET

TIME DISP'D.: 0806

CALLED IN BY.: TERRY ULLSPERTER

TIME ARRIV'D.: 0817

TAKEN BY.....: 217 WITFOTH

TIME CLEARED.: 0857

DISPATCH..BY.: 441 HAMILTON

DISPOSITION..: ACCIDENT REPORT IN

ACI data exists, TAB A

CAD#: 02035894 ACCIDENT NO INJURY

CAD....: WHT TRUCK AND A HONDA, TRAFFIC BACKING UP

REMARKS:

PC79 LPD DISPATCH DATA

ENTER CASE #: A2-083568

LOCATION: S CODDINGTON AV / WSOUTH ST

INC#: 03111 TYPE: ACC. PR.DAM.

DATE: 07-25-2002 OFFICER ASSIGNED: 1194 BREHM

RD#: 156

TE#: 4

BT.: A

TIME RECEIVED: 1204

LOCATION CODE: 1 STREET

TIME DISP'D.: 1204

CALLED IN BY.: CRICKET COMMUNICATIO

TIME ARRIV'D.: 1207

TAKEN BY.....: 775 HOUFEK

TIME CLEARED.: 1303

DISPATCH..BY.: 1381 MCGILL

DISPOSITION..: ACCIDENT REPORT IN

(No ACIs)

CAD#: 02188284 ACCIDENT NO INJURY

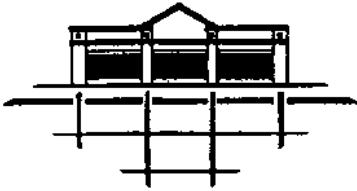
CAD.....:

CELEBERITY VS ??? DUPLICATE CALL

REMARKS: INFO-LOC: S CODDINGTON AV / W SOUTH ST CITY:LINC NAME:MARLA BROODER

ITEM NO. 32: SPECIAL PERMIT NO. 2005

(p.135 - Public Hearing - 4/30/03)



BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

April 29, 2003

Mr. Greg Schwinn, Chair
Lincoln/ Lancaster County Planning Commission
c/o Planning Department
555 South 10th Street
Lincoln, NE 68508

RE: BETTY'S HAVEN - COMMUNITY UNIT PLAN/ SPECIAL PERMIT #2005
WEST SOUTH STREET & SOUTH CODDINGTON AVENUE

Dear Greg,

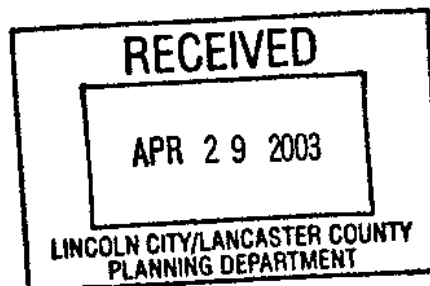
On behalf of Hartland Homes, Inc. I am requesting a two week deferral on the above mentioned application. We met with the neighbors last evening, and they are requesting some additional information about the project from us. Therefore, a delay to the May 13th Planning Commission meeting is being requested.

Please contact me if you have any further questions.

Sincerely,

Brian D. Carstens

cc: Duane Hartman, Hartland Homes, Inc.
Peter Katt, Pierson/ Fitchett/ Hunzeker/ Blake & Katt
Bill Vocasek, President- West 'A' Neighborhood Association





"Bill Vocasek"
<bvocasek@neb.rr.co
m>

To: <plan@ci.lincoln.ne.us>
cc:
Subject: Agenda Item # 3.2

04/29/2003 10:10 PM

Please distribute the following to all Commissioners.

As President of the West A Neighborhood Association I am requesting a delay on Agenda item # 3.2. Brian Carstens & Peter Katt met with several neighbors in regard to the application of Special Permit No. 2005 Betty's Haven Community Unit Plan. There was a lengthy discussion and requests for more information that they were unable to present at the time. I asked if we could delay the action at the Planning Commission and meet again they agreed and thought that it would be a good idea, we have scheduled a meeting for Monday May 5th. Brian called and left a message today and informed me that he had sent letters requesting the delay. I am following up to make certain that the process is followed to make every attempt to work through the issues. Thanks for your cooperation.

Bill Vocasek



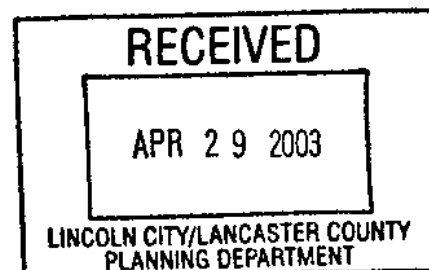
"Steve Cartagena"
<slcartag@alltel.net>

04/28/2003 09:45 PM

To: <plan@ci.lincoln.ne.us>
cc:
Subject: Betty's Haven Community Unit Plan, Special Permit #2005

I would like to voice my opposition to the Hartland Homes development proposed for the area of Coddington and West South streets. I feel this development is too high density considering its close proximity to Roper Elementary School. The traffic flow before and after school is already extremely high and dangerous for children and drivers alike. Adding 22 or 23 more dwelling units and a conservative estimate of 44 more cars to already overcrowded streets is absurd. I am not opposed to development of this area, but I would like to see something more appropriate for the neighborhood and that matches the existing residential housing--perhaps 6 or 7 houses in the same area. I strongly oppose this proposed development and would ask that you vote against it. Thank you.

Lori Cartagena
1501 Xavier Circle
Lincoln, NE 68522
742-5855





"Scott Bailey"
<sbailey2@neb.rr.com
>

To: <plan@ci.lincoln.ne.us>
cc:
Subject: Special Permit #2005, Betty's Haven

04/29/2003 11:20 AM

To whom it may concern:

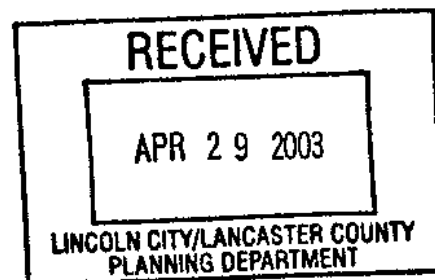
I am against any special permit for use of this property, especially a change that would increase density.

I believe that this particular piece of property needs to be developed with the same density or less than the existing neighborhood. This area is already crowded and the roads are very congested during the morning and afternoon hours especially around the school.

This is a request from the builder, not a request from the community and certainly not a request from the people that will have to live next to his overpopulated creation.

Please recommend denial of this special permit.

Scott Bailey





TKOLSON21@aol.com

04/30/2003 09:05 AM

To: plan@ci.lincoln.ne.us

cc:

Subject: Special Permit #2005

To Whom it may concern,

I am writing in hopes that special Permit #2005 is denied. The area in question would become completely congested if 23 housing units are added that close to a school. I have never seen a development where units are that close together be kept up. They all seem to be completely run down with very questionable tenants. This should definitely not be so close to a grade school. I know from experience the type of individuals the owner of this proposed property rents to and it seems his only concern is if they can pay the rent. Where the money comes from doesn't seem to bother the owner.

I could see the land being broken up into lots if they were the same size as those across the street from the area with proper easements and access roads. It looks to me that would give a place for two to four lots.

Please listen to all the neighbors in the area instead of to one person who is in it for other reasons only. The neighborhood now is a nice place to live. There is no way that a special permit such as the one requested could enhance the area, it will only bring it down.

Thanks,
Troy Olson
1732 SW 21st
Lincoln



"Carol Greenwald"
<cmdgreen@alltel.net>

04/29/2003 09:39 PM

To: <plan@ci.lincoln.ne.us>
cc:
Subject: Betty's Haven Comm. Unit Plan

I am against this idea of waiving regulations to sandwich more houses in this small area right next to the school - which is a good possibility it would even be filled up w/college kids which causes problems w/elem. school children

this would also cause more traffic problems for the area which is already out of control when school is in session -

Please really consider this (including safety) if you had a child or children attending a school this close to sandwiched property -

Carol Greenwald
1827 Timber Ridge Rd
Lincoln, NE 68522
402-476-8821
cmdgreen@alltel.net



"Krysta Clausen"
<krclause@alltel.net>

04/29/2003 06:28 PM

To: <plan@ci.lincoln.ne.us>
cc:
Subject: Betty's Haven Community Plan

To who it may concern,

I am a 13-year-old student at Park Middle School. I am writing to you about a plan that you are now considering. I am writing about the small townhouses (Betty's Haven Community Plan) that Duane Hartman is asking to put in if you agree to change the zoning at SW 21st Street and South. Every school day my sister walks through the traffic and right past where Mr. Hartman is going to build the townhouses. I am writing to ask that you please don't change the zoning for the safety of all the children who go to Roper and just want to cross the street.

Krysta Clausen
1925 SW 22nd St
Lincoln NE 68522



<INFO@amsweeping.com>

04/29/2003 03:21 PM

To: <plan@ci.lincoln.ne.us>

cc:

Subject: RE: Special Permit #2005, Betty's Haven

To whom it may concern:

I am against any special permit for use of this property, especially a change that would increase density.

I believe that this particular piece of property needs to be developed with the same density or less than the existing neighborhood. This area is already crowded and the roads are very congested during the morning and afternoon hours especially around the school.

Please recommend denial of this special permit.

Robyn Robinson



"Michelle Weiland"
<michelle@gagnerrest
oration.com>

To: <plan@ci.lincoln.ne.us>
cc:
Subject: Special Permit #2005

04/29/2003 01:12 PM

Please take into consideration the surroundings of the area for this special permit. We already have enough problems with traffic and the flow of traffic in this area. We cannot have more conflict and confusion. We need help out here in our area. How would you feel to have this in your backyard?

Please say NO to Betty's Haven Community Unit Plan, Special Permit #2005.

Sincerely,

Michelle Weiland

cc: Brian Carstens
Dennis Bartels
Rick Peo



Nyles01@aol.com

04/25/2003 12:20 PM

To: plan@ci.lincoln.ne.us

cc:

Subject: Objection to Special Permit No 2005

Mr. and Mrs. Harlan Arington
2040 S.W. 21st Street
Lincoln, NE 68522
(402)438-1132

Lincoln City Planning Commission

Lincoln, NE

April 23, 2003

Dear Members,

I'm writing in opposition to the proposed request for waiver of lot size (Special permit No. 2005) requested by Hartland Homes, regarding a parcel of land adjacent to my property in Southwest Lincoln. This parcel runs from approximately Coddington, West, to near S.W. 23rd Street, on the South side of West South Street.

Hartland Homes is proposing to build 22 houses in a space opposite only 8 existing homes, with houses presenting their backyards to W South Street. Additionally, they are planning a water retention pond at that location. The only direct access to these homes is planned for S.W. 21st Street and W South Street, with a "private" street within this complex. We feel this will place an additional burden on an already busy, residential street, less than a block from Roper Elementary School. A large percent of these students must cross W South Street to get to school each day. We have additional concerns about the retention pond, and the safety of children in our neighborhood.

Of considerable concern to us, is the request for sub-minimum lot sizes. We have been told lots will only range from 27 feet to 34 feet wide. In most parts of town, this is well below the lot size a homeowner may use to rebuild an existing house, should they suffer a catastrophic loss. It is also much smaller than nearly every lot in the area, causing a great deal more parking congestion, as well as presenting additional risk for spread of fire from home to home. Being in close proximity to this congested residential tract could increase insurance premiums for a considerable number of homeowners in the area. It will also stress an already over-crowded elementary school, with the potential of adding 22 families with school-age children.

We strongly oppose this action, and ask that you consider the impact on our neighborhood's infrastructure, as well as other safety and financial concerns. Thank you for your careful consideration.

Sincerely,

Mr. and Mrs. Harlan Arington



Khcarranza@aol.com

04/23/2003 09:40 PM

To: plan@ci.lincoln.ne.us

cc:

Subject: new construction of apartment complex @ codington and south

To whom it may concern:

Please remember the children when you considering the new apartment complex. Right now traffic is congested on a daily basis at that intersection. Children as young as 5 use that cross walk to get to and from school twice daily. Allowing the complex to be built will add to more traffic utilizing this intersection. This will increase the risk of a child getting hurt. Face it you can tell a child till you are blue in the face to look both ways and to use the cross walk, but sometimes they forget. With just the traffic flow we have right now several children have been hit by cars. The accidents could have been avoided had the drivers and the children been more aware of their surroundings. My point is this, if you approve this zoning action traffic will increase and the safety of our children will be at risk. I urge you to consider how close this complex would be to the school. Roper has worked so hard (staff, students, and parents) to provide a safe environment for our children. Building the complex can also prevent safe travel for the students who would walk that street to get to school. PLEASE SAY NO! Laurie Eacker (Roper parent/west A resident)

cc: Dennis Bartels

Brian Carstens

Rick Peo

Jean L Walker

04/21/2003 10:10 AM

To: PWill65578@aol.com

cc: Marvin S Krout/Notes@Notes, Ray F Hill/Notes@Notes, Rebecca D
Horner/Notes@Notes, (bcc: Jean L Walker/Notes)

Subject: Re: Betty's Haven Community Unit Plan



Thank you for your comments. A copy will be distributed to the Planning Commission members prior to the public hearing, which is scheduled for Wednesday, April 30th, at 1:00 p.m. in the Hearing Room on the 1st floor of the County-City Building.

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365
PWill65578@aol.com

PWill65578@aol.com

04/20/2003 09:05 PM

To: plan@ci.lincoln.ne.us

cc:

Subject: Betty's Haven Community Unit Plan



My name is Cindy Williams and my husband and I, along with our four daughters live at 1924 SW 22nd Street. My children have walked to school since the day the building opened and have witnessed all sorts of traffic congestion. There are days when cars are lined up for blocks down Coddington and South in every direction.

There is no need for this kind of density this close to a school. The corner of South and Coddington is already the most dangerous intersection in this neighborhood. The infrastructure will not handle this many units. This is a TERRIBLE idea.

Thank you for your consideration of this matter. Your decision will affect the safety of over 700 students and their families.

Cindy Williams
438-6070



Jean L Walker

04/21/2003 10:09 AM

To: "Deb Walker" <walkon01@alltel.net>

cc: Marvin S Krout/Notes@Notes, Ray F Hill/Notes@Notes, Rebecca D Horner/Notes@Notes, (bcc: Jean L Walker/Notes)

Subject: Re: PERMIT # 2005 FOR BETTY'S HAVEN COMMUNITY UNIT PLAN

Thank you for your comments. A copy will be distributed to the Planning Commission members prior to the public hearing, which is scheduled for Wednesday, April 30th, at 1:00 p.m. in the Hearing Room on the 1st Floor of the County-City Building.

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365
"Deb Walker" <walkon01@alltel.net>



"Deb Walker"
<walkon01@alltel.net>

04/20/2003 09:01 PM

To: <plan@ci.lincoln.ne.us>

cc:

Subject: PERMIT # 2005 FOR BETTY'S HAVEN COMMUNITY UNIT PLAN

To Whom it may Concern,

I would like to say that we are against this 23 dwelling units to be built at S. Coddington & West South. I live directly across the street at 2040 West Mulberry Ct.

First of all, with Roper school being right next door to the South of this location. the traffic in the mornings and after school is terrible. The School doesn't have enough parking places now to pick up kids. The congestion is very bad and adding 23 units there is a very bad idea. It would cause more traffic problems then needed. Because of no bussing, there are more kids walking to school or being driven by a parent, neighbor or day care person. Safety is very big issue here.

Second, I would rather see family homes built there, then apartments. We have enough apartments in the area. We are a single family dwelling area and we would like to keep it that way.

Since my husband and I both work, we will not be able to attending the hearing. Please mark us for a vote NO on this project.

Thank You.
Debra S Walker
2040 W. Mulberry Ct
Lincoln, NE 68522



Jean L Walker

04/21/2003 11:57 AM

To: "Deb Walker" <walkon01@alltel.net>

cc: Marvin S Krout/Notes@Notes, Ray F Hill/Notes@Notes, Rebecca D Homer/Notes@Notes, Dennis D Bartels/Notes@Notes, (bcc: Jean L Walker/Notes)

Subject: Re: PERMIT # 2005 BETTY'S HAVEN COMMUNITY UNIT PLAN.

To: Janis & Liga Lasis

Thank you for your comments. A copy will be distributed to the Planning Commission members prior to the public hearing, which is scheduled for Wednesday, April 30th, at 1:00 p.m. in the Hearing Room on the 1st floor of the County-City Building.

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365
"Deb Walker" <walkon01@alltel.net>



"Deb Walker"

<walkon01@alltel.net>

04/21/2003 11:46 AM

To: <plan@ci.lincoln.ne.us>

cc:

Subject: PERMIT # 2005 BETTY'S HAVEN COMMUNITY UNIT PLAN.

To whom it may concern,

We are against the Apartment buildings being built across the street from us. We moved here because it was a quiet area. The traffic is getting worse. And adding apartment buildings would make it much worse. Safety for the kids who go to Roper should be looked at.

The cement trucks going down W South Street now go faster then the speed limit. Almost got hit by a cement truck at W. South & S W 21st

Would like to see the Zoning stay at single family dwellings.

Thank You
Janis & Liga Lasis
2031 W. Mulberry Ct
Lincoln, NE 68522



Jean L Walker

04/23/2003 07:55 AM

To: "Roberta Clausen" <roclause@alltel.net>

cc: Marvin S Krout/Notes@Notes, Ray F Hill/Notes@Notes, Rebecca D Horner/Notes@Notes, (bcc: Jean L Walker/Notes)

Subject: Re: Opposed to special permit #2005

Thank you for taking the time to submit your comments. A copy will be distributed to the Planning Commission prior to the public hearing, which is scheduled for Wednesday, April 30th, 1:00 p.m., in the Hearing Room on the 1st floor of the County-City Building.

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365

"Roberta Clausen" <roclause@alltel.net>



"Roberta Clausen"
<roclause@alltel.net>

04/22/2003 10:48 PM

To: <plan@ci.lincoln.ne.us>

cc:

Subject: Opposed to special permit #2005

I live at 1925 SW 22nd Street which is a few blocks from Coddington and West South Street. I am absolutely against putting multiple units on the SW corner of that intersection next to Roper Elementary. As I understand it, Dwayne Hartman is requesting a zoning change there to allow him to build 23 units, the Betty's Haven Community Unit plan, special permit #2005.

Such a development would be impractical, ill-advised, irresponsible and destructive. Coddington and West South Street can in no way handle the added traffic. Few of Roper students can avoid this intersection coming and going from school. Virtually, all have to cross Coddington or West South streets. Several blocks all directions from the intersection are very heavily congested during the times when kids are arriving at and leaving from school. Adding any more traffic to that intersection and those streets would endanger school children even more than they are already. The current traffic danger kids face prevents many parents from allowing their children to walk to school depriving them from the exercise benefits, as well. Even more, perhaps all, parents would have to drive their kids to school for safety if traffic is further increased to any degree. This, of course, would add to the congestion. It would become an unmanageable situation.

The zoning around the intersection of Coddington and West South Street should be for single housing units only. It is unsafe for the elementary students to have to deal with unavoidable concentrations of traffic and residents on their way to and from school. The ideal situation would be for that property to become part of the Roper school property and be developed to meet the space and educational needs of the children rather than increasing their physical danger.

Thank you very much for your consideration,

Roberta Clausen



Jean L Walker

04/23/2003 07:53 AM

To: "Angela Paolini" <acpaolini@hotmail.com>

cc: Marvin S Krout/Notes@Notes, Ray F Hill/Notes@Notes, Rebecca D Horner/Notes@Notes, (bcc: Jean L Walker/Notes)

Subject: Re: License to build

Thank you for taking the time to submit your comments. A copy will be distributed to the Planning Commission prior to the public hearing, which is scheduled for Wednesday, April 30th, 1:00 p.m., in the Hearing Room on the 1st Floor of the County-City Building.

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365

"Angela Paolini" <acpaolini@hotmail.com>



"Angela Paolini"

<acpaolini@hotmail.com>
m>

To: plan@ci.lincoln.ne.us

cc:

Subject: License to build

04/22/2003 04:52 PM

To Whom It May Concern (and it should concern all of us):

I live in the West South and Coddington streets area and absolutely DO NOT feel you should grant permission nor give Dwane Hartman of Heartland Homes license to build on the corner of W. South and W. Coddington. The idea was appalling to me, 23 units in a space that could only fit about 10 homes?! Absurd! With water pressure being a problem already, not to mention the inhumanity of allowing someone to build so many units on such a small piece of property it should be crystal clear this is not a smart idea. This builder is married to a woman who bought a license to exploit and prostitute women in a deplorable so-called 'business,' which she began illegally, buying one liquor license for two businesses. I DO NOT trust this same builder is capable of making a humane decision thus, I do not feel, I KNOW 23 units on the corner property of W. South and W. Coddington is a bad idea.

Thank you, in advance for your CAREFUL consideration of this matter.

Angela Paolini
1732 SW 16th
Lincoln, NE

MSN 8 with e-mail virus protection service: 2 months FREE*
<http://join.msn.com/?page=features/virus>



"Deb Walker"
<walkon01@alltel.net>
05/14/2003 10:37 AM

To: <plan@cl.lincoln.ne.us>
cc:
Subject: Betty's Haven Community

To whom it may concern,
I had written you a couple of weeks ago opposing this plan.
My husband, Scott, and I still are against this project. We are not against building on this property. We would just like to see regular housing like what is already in the neighborhood for single family dwelling. Not low housing type of structures. We realize that this project will go through, not matter what or how we feel. Even if other neighbors are against it as well. But as tax payers and home owners we do not like it. We have lived in this same house for almost 18 yrs. And I have been an active member of West "A" Board for almost 10 yrs. I am very proud of my community and what we have done here. It just saddens me that our area has to come to Duane Hartman's developments to ruin it. He doesn't care about the neighborhood or the people just more money in his pockets. And so do the people who sold him the land.

Thanks for listening.
Deb Walker
2040 W. Mulberry Ct
Lincoln, NE 68522



"Paul and Karen
Schack"
<pksschack@alltel.net>

To: <cathy@lincnet.com>
cc: <plan@ci.lincoln.ne.us>
Subject: Betty Haven Community Unit Plan

04/30/2003 12:59 PM

Hi,

I have a request of your radio station. We live in the Southwest Lincoln part of town. We have recently been made aware of a plan to build 22 townhomes adjacent to Roper Elementary School. I will outline some of our concerns:

- There will be 22 townhomes built within a 3 acre space.
- In order to fit this amount of town homes in this area the townhomes had to be built narrower than is normal. A waiver was received from the city for this.
- The townhomes will have only 4 feet between them. The city approved a waiver for this as well.
- 8 inch sewer pipe will be used for these townhomes. It is my understanding that 24 inch piping is the norm. A waiver was received from the city for this as well.
- There has been signage posted that zoning has been requested for this project.
- From resources I have with the local community association all of the changes have already been approved by the city and signed off and is a done deal.

I would appreciate it if your news department could look into this and let me know if this sort of approach is the norm on these matters. In addition, I would like to ask does this propose a public health risk especially so close to a elementary school?

Sincerely,

Paul Schack
435-6057



Rebecca D Homer
05/05/2003 03:36 PM

To: pkschack@alltel.net
cc: City Council Members, Mayor/Notes@Notes, Ann
Harrell/Notes@Notes, Marvin S Krout/Notes@Notes, Darrell
Podany/Notes@Notes, Ray F Hill/Notes@Notes, Dennis D
Bartels/Notes@Notes
Subject: Special Permit #2005, SW Coddington and W South

The Planning Department received a copy of your concerns. We would like to respond to some of those concerns. I am the staff planner assigned to the item.

I would first like to clarify how the staff reports are written. The staff report is organized to describe the development proposal, give the location and to identify any requested waivers. The staff report gives a recommendation to the Planning Commission on each waiver, then the staff report indicates a recommendation for the project as a whole. These are staff recommendations based on the analysis in the staff report based on the Comprehensive Plan and adopted standards, which can be revised by either the Planning Commission or the City Council members.

"There will be 22 townhomes built within a 3 acre space."

The single family house is on 1.3 acres, leaving 3.1 acres left for the townhouse units, so it is correct that these units are proposed on about a 3 acre site.

"In order to fit this amount of town homes in this area the townhomes had to be built narrower than is normal. A waiver was received from the city for this"

If the developer proposed to meet the lot area and width required for the R-3, Residential district, they still could have 20 units, with no common open space, according to my quick calculations.

"From resources I have with the local community association all of the changes have already been approved by the city and signed off and is a done deal."

The recommendations to the lot area and lot width waivers are approval based on the Comprehensive Plan statement that a mix of housing types is desirable. Townhouses are not outright allowed in the R-3 district, so there are no lot area or lot width standards in the R-3 zoning district text. The staff has to use the standards for single-family attached (duplex) dwelling units, which is 40' lot width and 5,000 square feet lot area. To use the least dense district as an example where there are standards for townhouses: the R-5 Residential district allows townhouses with 2,500 square feet lot area and 20' lot width. While we understand that this is not the R-5 district, it is the only district where we can compare what the "typical" townhouse lot width or area would be. Based on this, the waiver to allow townhouses seems reasonable, because it would be consistent with typical townhouses and is why a recommendation of approval was given.

"The townhomes will have only 4 feet between them. The city approved a waiver for this as well"

The townhouses would be connected by a common wall. The end units must meet the required side yard setback of 5' to the lot line. This means that two end units will not be less than 10' apart. The developer did not ask for a setback waiver.

"8 inch sewer pipe will be used for these townhomes. It is my understanding that 24 inch piping is the norm. A waiver was received from the city for this as well"

The development shows an 8" sanitary sewer to serve the site. This is a typical sized sewer line for local residential service. The staff report talks about an existing 4" PVC pipe serving the single family house and states that the 8" sanitary sewer line must be extended for the single family house. The developer did not ask for a waiver to sanitary sewer design standards.

"From resources I have with the local community association all of the changes have already been approved by the city and signed off and is a done deal"

The Planning Department Staff report is only one element to the public hearing process. It evaluates

039

message to Becky Horner

how the proposed development may or may not meet the goals and objectives of the Comprehensive Plan, Zoning Ordinance and adopted standards. The Comprehensive Plan, as indicated in the staff report, states that new development should be compatible with the character of the existing neighborhood. Another element of the public hearing process, and one way to determine the potential compatibility, is the voice of the neighborhood. Much of that voice is not heard prior to the completion of the staff report and is heard at the Planning Commission and City Council public hearings. We are glad that you are involved in the process and are available to answer any additional questions you may have. I have attached a copy of the staff report to this email. It is in a wordperfect format, and is also available on-line at the following address:
<http://www.ci.lincoln.ne.us/city/plan/pcagenda/2003/043003.htm> The Comprehensive Plan is available at the following address: <http://www.ci.lincoln.ne.us/city/plan/complan/2025/index.htm>

Scroll down to the item number Special Permit #2005 and click on the item and it will pull up the report. Let me know if you have any problem accessing the report.



SP2005.bettyshaven.rdh.wpd

There is a public meeting set up by the developer with the neighbors Monday May 5, 2003 at 7:30pm and I will be there with a representative from the Public Works Department to address any questions of the City Staff.

Rebecca D. Horner
Planner
City of Lincoln
Planning Department
Phone 441-6373
Fax 441-6377

Original message:
Dear Glenn Friendt,

I am writing in regard to some concerns I have about a new housing project proposed by Heartland Homes. I live in the Roper Elementary School Neighborhood. I will outline some of my concerns for you briefly. I would appreciate being contacted in regards to situation regarding this project. Since you are running for Mayor the response I get to this inquiry will have an effect on how I vote for the office of Mayor.

- There will be 22 townhomes built within a 3 acre space.
- In order to fit this amount of town homes in this area the townhomes had to be built narrower than is normal. A waiver was received from the city for this.
- The townhomes will have only 4 feet between them. The city approved a waiver for this as well.
- 8 inch sewer pipe will be used for these townhomes. It is my understanding that 24 inch piping is the norm. A waiver was received from the city for this as well.
- There has been signage posted that zoning has been requested for this project.
- From resources I have with the local community association all of the changes have already been approved by the city and signed off and is a done deal.

From the information that I have it appears that this project is being developed behind the scenes and approved without community involvement. On top of changing the character of our neighborhood which has taken many years to develop into the desirable neighborhood that it is. It seems like a lot of city policies have been circumvented. I would appreciate knowing the actual facts on this.

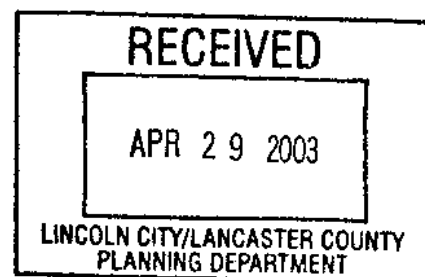
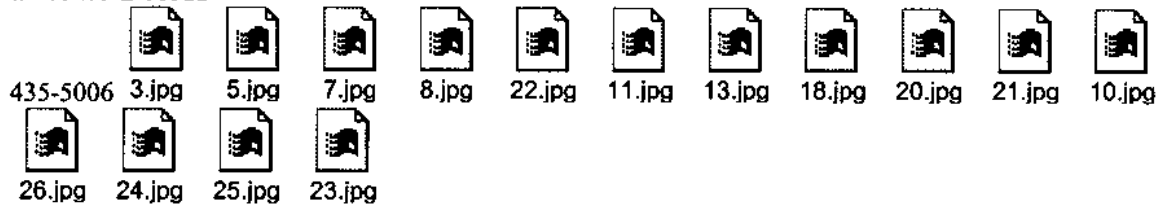
In addition to contacting you, I have contacted Channel 8, 10/11 and KFOR. One of the individuals I spoke to commented that Dwayne Heartman is known for not always doing things completely appropriately. Your prompt reply to this inquiry will be appreciated.

Sincerely,

Paul Schack
435-6057

Thank-you for considering this information.

Eugene Clausen
1925 SW 22nd St
Lincoln NE 68522





Jean L Walker

05/20/2003 09:43 AM

To: Gary Reber <greber@foundation.nebraska.edu>

cc: Marvin S Krout/Notes@Notes, Ray F Hill/Notes@Notes, Rebecca D Horner/Notes@Notes, Dennis D Bartels/Notes@Notes, BCandAssoc@aol.com, (bcc: Jean L Walker/Notes)

Subject: Re: Hartland

Thank you for your comments. I believe you are referring to ~~Special Permit No. 0005~~, Betty's Haven Community Unit Plan, located at S. Coddington and West South Street. The Planning Commission voted 7-0 to recommend conditional approval on May 14, 2003. There will be another public hearing before the City Council at a future date. There are revisions to the site plan that must be completed prior to scheduling the City Council hearing. However, your comments are now part of the official record and will be forwarded to the City Council when this application is scheduled on their agenda.

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365

Gary Reber <greber@foundation.nebraska.edu>



Gary Reber
<greber@foundation.nebraska.edu>

05/19/2003 04:01 PM

To: "plan@ci.lincoln.ne.us" <plan@ci.lincoln.ne.us>

cc:

Subject: Hartland

Just this weekend I heard about a housing development that is seeking a special permit to build 23 homes near Roper Elementary School.

Housing developments in the West A area and nearby are already squeezing homes together, I find it hard to imagine how tight things will be if a developer is seeking special permission to make homes even more congested. I am not opposed to development, but I think it is unwise to waive building requirements in this case. Homes are already too close together, in my opinion.

Besides the aesthetic value (and arguably the affect such a development might have on surrounding home values), I think the city should evaluate the traffic currently carried on West and Coddington Avenue as well as the intersection of U.S. 77 and Coddington/Capital Parkway. As the area continues to develop, the current roads will not be able to keep up with the traffic demands.

Additionally, the intersection of South Street and Coddington Avenue is already overburdened and this development would exacerbate that dilemma - a problem that is magnified by the intersection's proximity to Roper Elementary School.

If it is not too late, please do not waive current building requirements in this area.

Thank you for your consideration.

Sincerely,
Gary Reber
1311 SW 24th St.
Lincoln, NE 68522